§ 2614. Agreements with the state. 1. The specific terms of each agreement shall be negotiated between the authority and any state agency which administers or supervises a participating olympic facility owned by the state of New York.

2. Each such agreement shall provide the following:

(a) The authority shall receive the participating olympic facility, including the personal property and equipment used solely in connection therewith, which is the subject matter of this agreement in its condition at the time of the commencement of the agreement.

(b) The authority shall agree to continue to provide at the participating olympic facility the space, facilities and the level of public recreation, including youth sports training, promotion and programming, as was provided by the state agency operating said facility during the year immediately preceding the execution of the agreement.

(c) The authority shall comply with all agreements executed by the state affecting the participating olympic facility existing at the time the authority enters into the agreement with the state, provided such existing agreements are listed in the agreement with the state.

(d) Upon termination of the agreement, the personal property, including replacements and/or substitutions therefor, which is owned by the authority and used solely in connection with the participating olympic facility which is the subject matter of the agreement shall pass to and be vested in the state. Such personal property shall be accepted by the state in its condition at the time of such termination.

(e) The authority shall maintain and keep the participating olympic facility, including the personal property and equipment used solely in connection therewith, in good repair, provided that the authority shall not be required to repair any damage to the participating olympic facility, including the personal property and equipment used solely in connection therewith, existing at the time the authority enters into the agreement unless funds are made available to the authority therefor.

(f) The authority may make improvements to the participating olympic facility to the extent that federal funds are made available for such purpose.

(g) The authority may terminate its agreement with the state, if the state fails to carry out all of the provisions of the agreement or fails

to appropriate and pay in each fiscal year of the state commencing with the fiscal year beginning April first, nineteen hundred eighty-two, the amount expended by the department of environmental conservation for the operation of the olympic facilities in the fiscal year immediately preceding the execution of said agreement, plus an amount supplied by a formula to be agreed upon by the parties which will reflect the legitimate and necessary net cost increases which may occur over the life of such agreement.

(h) The state may terminate its agreement with the authority if the director of the budget shall not approve the budget of the authority or if the park district fails to appropriate and pay funds as provided in subparagraphs one and two of paragraph (g) of subdivision two of section twenty-six hundred twelve of this title.

(i) To the extent the authority is not covered by insurance, the authority shall be held harmless by the state for any and all claims for damages or injuries arising out of the operation by the authority of any participating olympic facility owned by the state.

3. The authority shall enter into an agreement with the department of environmental conservation for the authority to operate, maintain and manage the Gore Mountain ski center located in the town of Johnsburg, county of Warren, state of New York. The specific terms of such agreement shall be negotiated by the authority and the department and shall include those provisions set forth in subdivision two of this section for inclusion in agreements with the state. Such agreement shall also provide that the authority may terminate the agreement if the state fails to appropriate and pay to the olympic regional development authority for the five consecutive fiscal years from April first, nineteen hundred eighty-five, through March thirty-first, nineteen hundred ninety for the operation of Gore Mountain, an amount at least equal to the amount of funds appropriated and paid to the authority for the operation of Gore Mountain ski center for the fiscal year of the state beginning April first, nineteen hundred eighty-four, plus an amount supplied by the formula agreed to by the parties pursuant to paragraph (g) of subdivision two of this section. All of the powers of the authority provided by this title or any other law, including those pertaining to participating olympic facilities, shall apply in

connection with such agreement and the operation and management of the Gore Mountain ski center.

4. The authority shall enter into an agreement with the department of environmental conservation for the authority to operate, maintain and manage the Belleayre Mountain ski center located in Ulster and Delaware counties, state of New York. The specific terms of such agreement shall be negotiated by the authority and the department and shall include those provisions set forth in subdivision two of this section for inclusion in agreements with the state. Such agreement shall include provisions to assure the continued viability of Belleayre as an attractive year-round tourist destination by, at a minimum, maintaining a level of capital investment, maintenance and operating support, consistent with the historical operating support, capital investment and maintenance provided by the department at Belleayre so that Belleayre Mountain ski center may be operated, maintained and improved in a similar manner to that of Whiteface and Gore Mountain ski centers. In addition, such agreement shall include provisions ensuring that the authority dedicate and utilize, for the operation, capital support and maintenance of Belleayre Mountain ski center: funds appropriated for the operation, maintenance and/or improvements of Belleayre Mountain ski center, revenue received as a result of Belleayre Mountain ski center operations, and monies received or intended from other sources and accounts that are intended for Belleayre Mountain ski center. All powers of the authority provided by this title or any other law, including those pertaining to participating olympic facilities, shall apply in connection with the operation and management of the Belleayre Mountain ski center.

5. The authority is hereby authorized to enter into an agreement with the town of Johnsburg, Warren county to operate and manage town-owned ski and recreational facilities on town property in such town. The specific terms of such agreement shall be negotiated by the authority and the town and shall include those provisions set forth in subdivision two of this section for inclusion in such agreement with the town. All of the powers of the authority provided by this title or any other law, including those pertaining to participating olympic facilities, shall

apply in connection with such agreement and the operation and management of such facilities.